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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/224,211	12/30/1998	JACK WASSOM	06975/033001	3985
26171 7590 01/23/2008 FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022				
			EXAMINER HUYNH, BA	
			ART UNIT 2179	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/224,211	<b>Applicant(s)</b> WASSOM ET AL.	
	<b>Examiner</b> Ba Huynh	<b>Art Unit</b> 2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 4/26/08.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 80-89 and 109-116 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 80-89 and 109-116 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/26/07 has been entered.

### ***Claim Objections***

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

There are two claims being misnumbered as 111.

Misnumbered claims 111-115 have been renumbered as 112-116.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 80-89, 109-116 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,480,852 (Himmel et al), in view of US patent 5,907,831 (Lotvin et al)

- As for claims 109, 116: Himmel et al (hereinafter Himmel) teach a computer implemented method and corresponding system for tailoring a user interface favorites (i.e., bookmarks, 5:35-37) menu for a user, comprising the steps/means for providing a first favorites menu related to first content and configured to enable access to the first content by users having a first demographic characteristic (e.g., content rated for children), providing a second favorites menu related to second content different from the first content and configured to enable access to the second content by users having a second demographic characteristic different from the first demographic characteristic (e.g., content rated for adult, 7:27-8:17), receiving an online identifier for a user (9:39-43); accessing a demographic characteristic associated with the user in a database based on the online identifier for the user (9:30-43), based on the demographic associated with the user automatically selecting a selected favorites menu from among a plurality of favorites menu that include the first and second favorites menu (7:33-47, 9:43-49, fig. 5), automatically making the selected favorites menu perceivable to the user, the selected favorites menu containing a plurality of links, each link selectable to access a particular content item (1:66-2:2, 6:6-8, 9:50-55, 10:17-21, fig. 6), and enabling the user to manually add/remove links to/from the plurality of links in the selected favorites menu for that user (1:66-2:7, 6:33-53), where subsequent perception of the selected favorites menus reveals a menu of

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favorites that includes added links and excludes removed links. Per Himmel, an adult is allowed to rate a bookmark based on demographic grouping (e.g., Children, Adult. 7:33-47) thus restrict his/her children from accessing rated materials based on the children's password. Thus it appears that the adult must first associate his/her children password with a demographic grouping. Himmel fails to clearly teach the master screen for associating a user password with demographic grouping. In an analogous art of parental access control, Lotvin teaches a master screen for a parent to associate rated information to his/her children password (7:48-8:12, 10:54-59). It would have been obvious to one of skill in the art, in light of Himmel and Lotvin, to modify Himmel with a master screen for a parent to associate a demographic grouping with his/her children's password. Motivation of the combining is for allowing the parent to authorize limited access to his/her children. It is noted that the combined Himmel and Lotvin allow a parent to authorize access to any number of children.

- As for claim 80: The content of bookmarks drop-down menu associated with a first user profile is different to the bookmarks drop-down menu associated with a second user profile (Restricted menu items are not displayed or greyed-out). Himmel is not clear regarding the bookmark menu is a pulldown menu. However, Official notice is taken that implementation of Bookmark pulldown menu is well known in the art (see previous rejection of claim 80). It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well known implementation of

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Bookmark pulldown menu to Himmel. Motivation of the combining is for screen estate management.

- As for claim 81: The menus are links to contents from various remote sources (fig. 6).
- As for claim 82: The remote sources include a network service provider (e.g., investor.com, medical.com, IBM. Figure 6).
- As for claim 83: Himmel&Lotvin fails to clearly teach that the content includes e-mail. However Official notice is taken that implementation of bookmarking Email is well known in the art (see US 6,487,557, fig 6, and US 2002/0107946, par 0004). It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well-known implementation of bookmarking Email to Himmel. Motivation of the implementation is for providing a shortcut to the bookmarked Email.
- As for claim 84: The content includes Internet content (fig. 6).
- As for claim 85: Himmel fails to clearly teach that the content includes chat session. However Official notice is taken that implementation of bookmarking Email is well known in the art (see US 6,832,350, fig 14). It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well-known implementation of bookmarking chat session to Himmel. Motivation of the implementation is for providing a shortcut to the bookmarked chat session.
- As for claims 86-88, 110: The demographic characteristic comprises adult and child maturity level of the user (7:26-47).

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- As for claim 89: The user favorite menu is automatically generated and presented to the user (fig. 5).
- As for claim 111: The service comprises favorite menu services (Himmel's fig. 6).
- As for claim 112-115: The combined Himmel&Lotvin fail to clearly teach the grouping based on age and maturity level such as kid and teenager. However, the implementation would have been obvious to one of skill in the art to further define the grouping to better authorize access to information appropriate to the level of the child.

#### ***Response to Arguments***

Applicant's arguments filed on 2/9/07 have been fully considered but they are not persuasive in view of the new ground of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ba Huynh  
Primary Examiner  
AU 2179  
1/19/08

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PRIMARY EXAMINER